

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Tremaine Bernard Coats

Docket No. 5:01-CR-117-1H

Petition for Action on Supervised Release

COMES NOW Timothy L. Gupton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tremaine Bernard Coats, who, upon an earlier plea of guilty to 21 U.S.C. § 841: Possession With Intent to Distribute Cocaine Base (Crack) and 18 U.S.C. § 1952: Interstate Travel and Aid of Racketeering, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on November 14, 2001, to the custody of the Bureau of Prisons for a term of 151 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

On September 17, 2008, pursuant to 18 U.S.C. § 3582(c)(2), the term of imprisonment was reduced to 121 months. On December 24, 2009, Tremaine Bernard Coats was released from custody, at which time the term of supervised release commenced in the Eastern District of New York.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 6, 2013, in Brooklyn, New York, Coats was arrested and charged with Assault With Intent to Cause Physical Injury, Menacing in the Third Degree, and Harassment in the Second Degree: Physical Conduct, with an offense date of November 17, 2013. According to U.S. Probation Officer Lori M. Jones of the Eastern District of New York, the defendant assaulted Kizzy Johnson, after Ms. Johnson engaged in an altercation with the defendant's girlfriend in a local restaurant. The

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charges are still pending in the Kings County Criminal Court. Based on these charges, Officer Jones is recommending that Coats participate in mental health counseling. Officer Jones is also requesting a Transfer of Jurisdiction to the Eastern District of New York. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer

/s/Timothy L. Gupton
Timothy L. Gupton
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: January 13, 2014

ORDER OF COURT

Considered and ordered this 30th day of January, 2014, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge